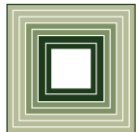


HOUSE COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE

The North Carolina Judicial System: The Administrative Office of the Courts

William Childs
Fiscal Research Division



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

November 21, 2013

Key Issues

- ❑ AOC FY 2013-14 GF budget: \$458 million
- ❑ AOC administers:
 - Justices and Judges
 - Clerks
 - DAs
 - Magistrates
 - Court Staff





THE JUDICIAL BRANCH

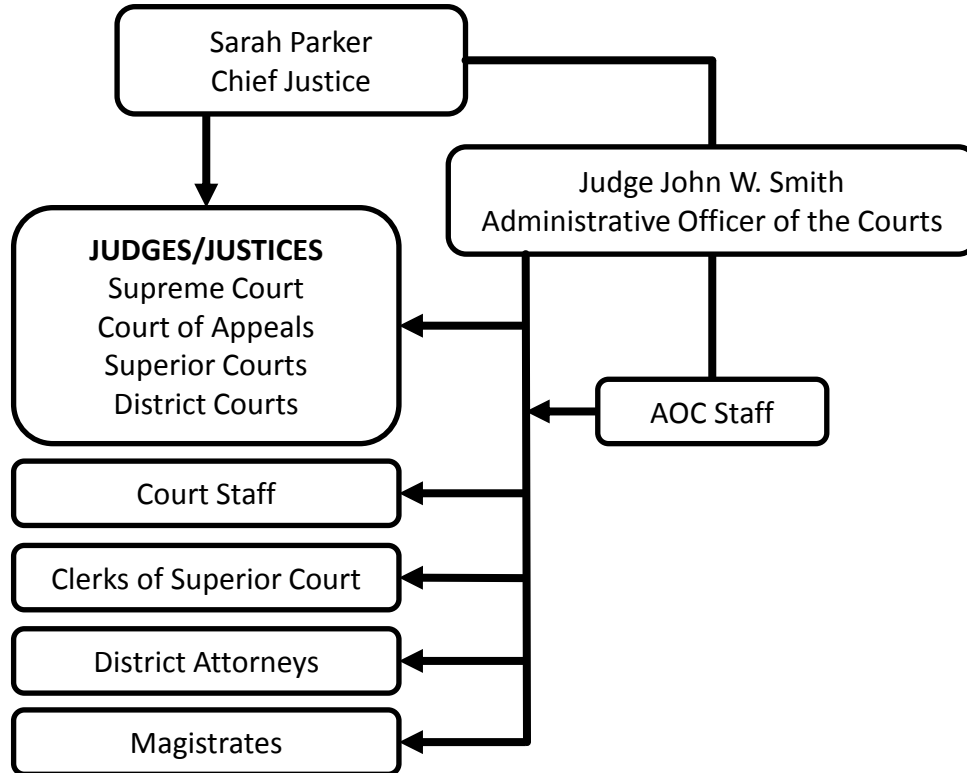
The North Carolina General Court of Justice



- Unified statewide court system
- Established by legislation in 1966
- State administers court personnel and operational budget
- Local governments provide courthouse and facility upkeep
- 25 other states have a unified court system

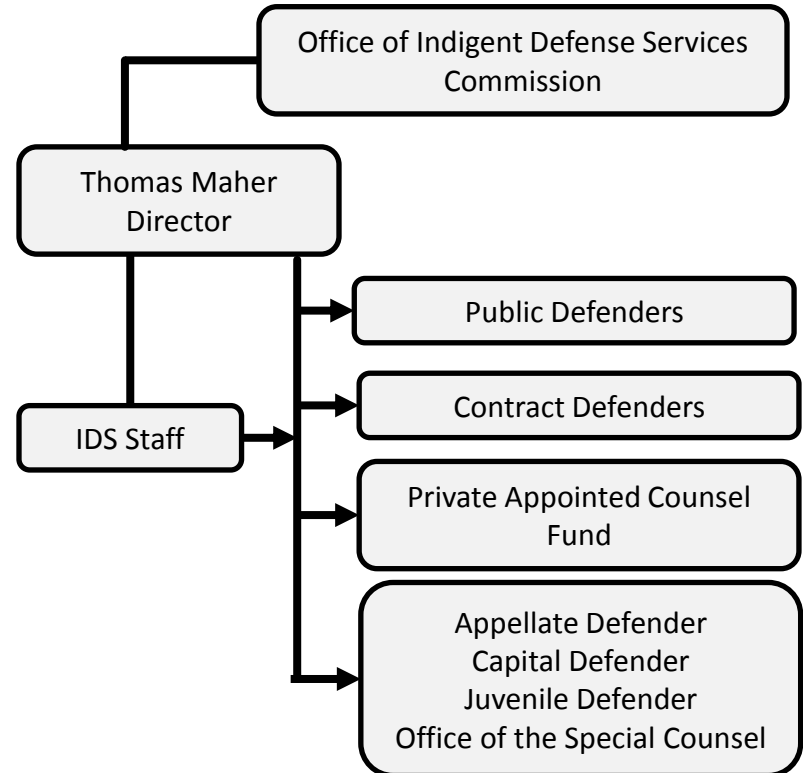
The North Carolina Judicial Branch

Administrative Office of the Courts



Total GF 2013-14 Budget: \$458 million
Total GF FTE: 5,831

Office of Indigent Defense Services



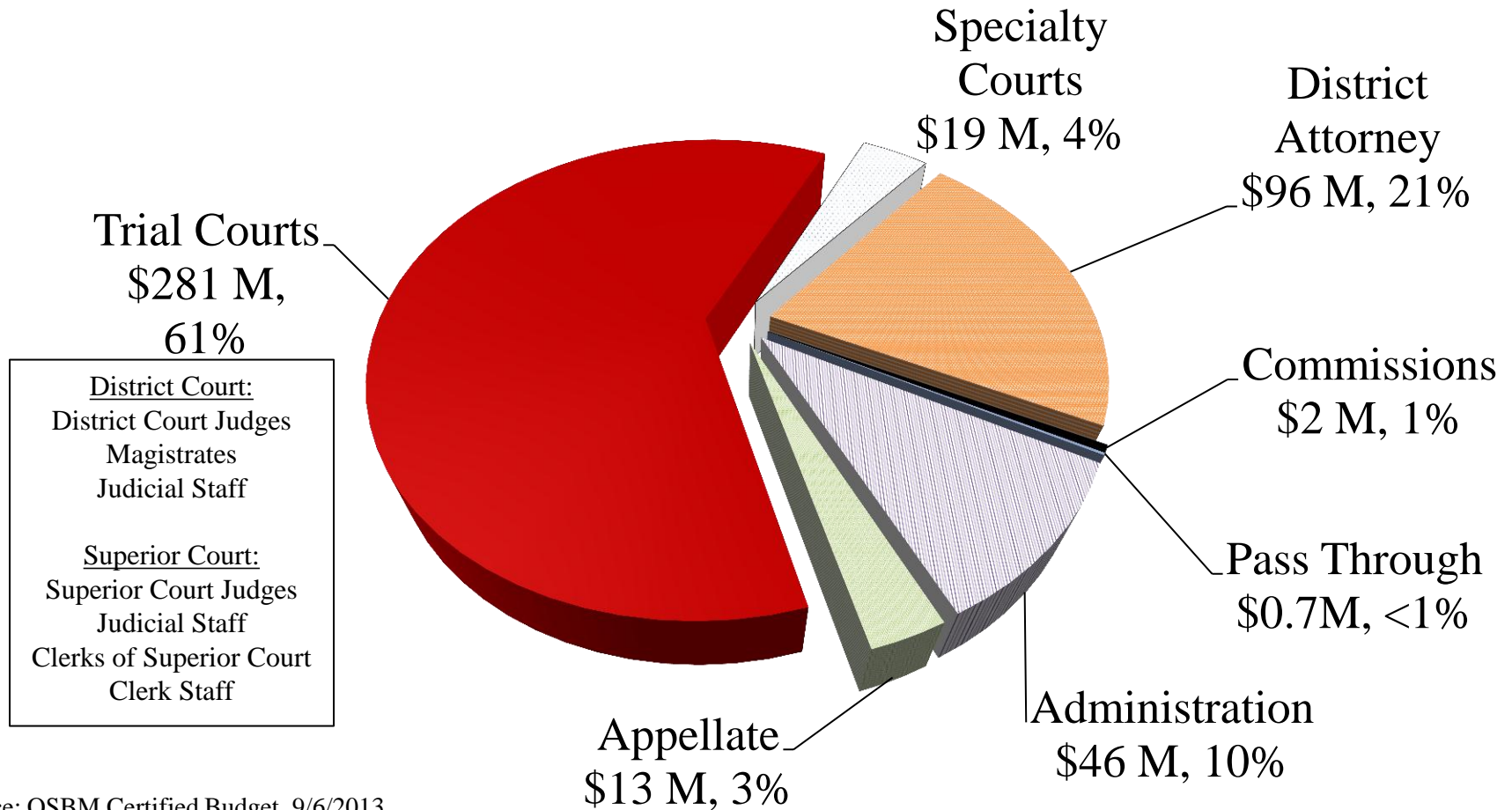
Total GF 2013-14 Budget: \$128 million
Total GF FTE: 508



*"Be advised, Counsellor, the court will not
tolerate a circuslike atmosphere."*

THE ADMINISTRATIVE OFFICE OF THE COURTS

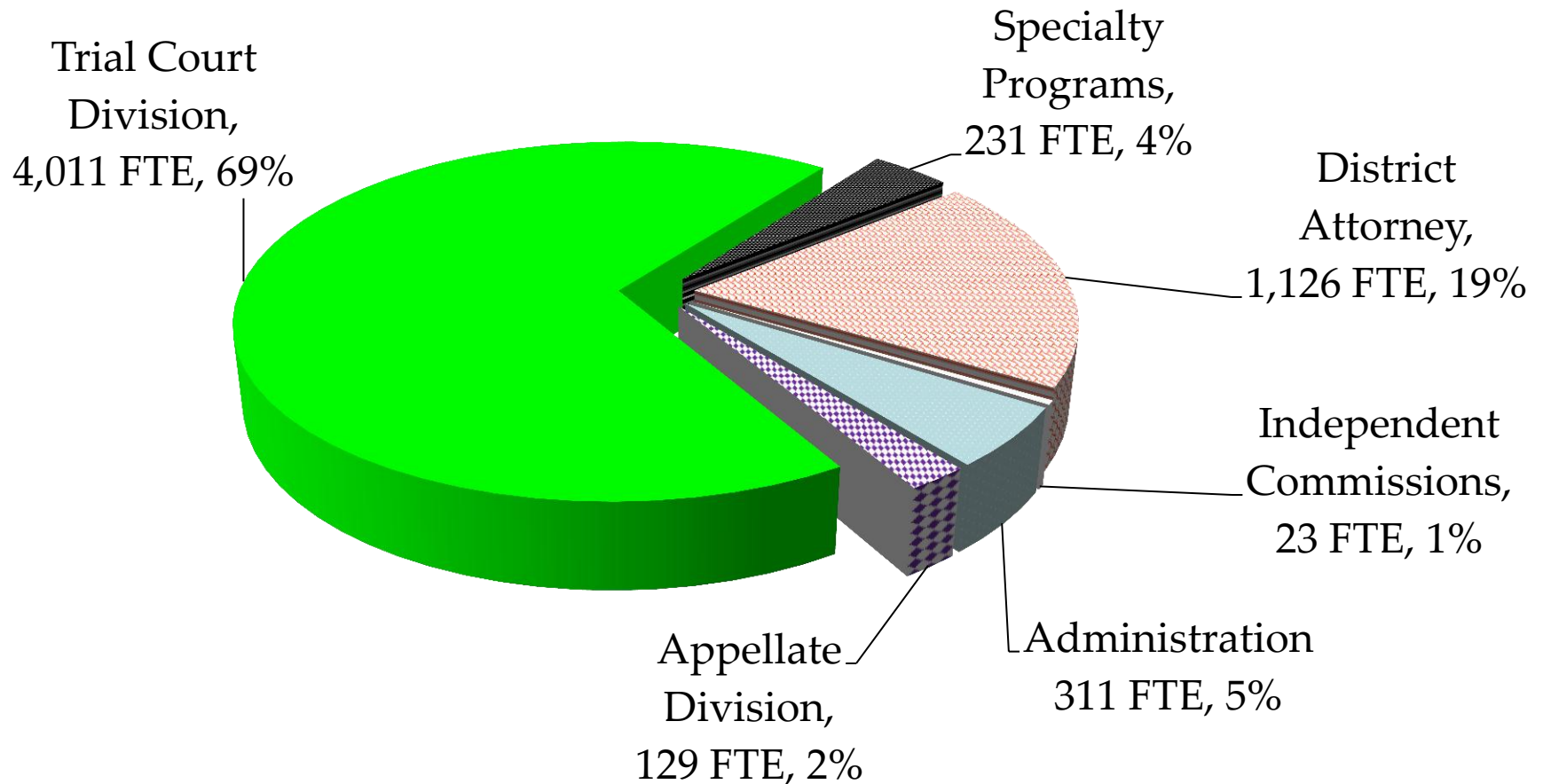
AOC Budget FY 2013-14 Certified, Total: \$458 M



Source: OSBM Certified Budget, 9/6/2013

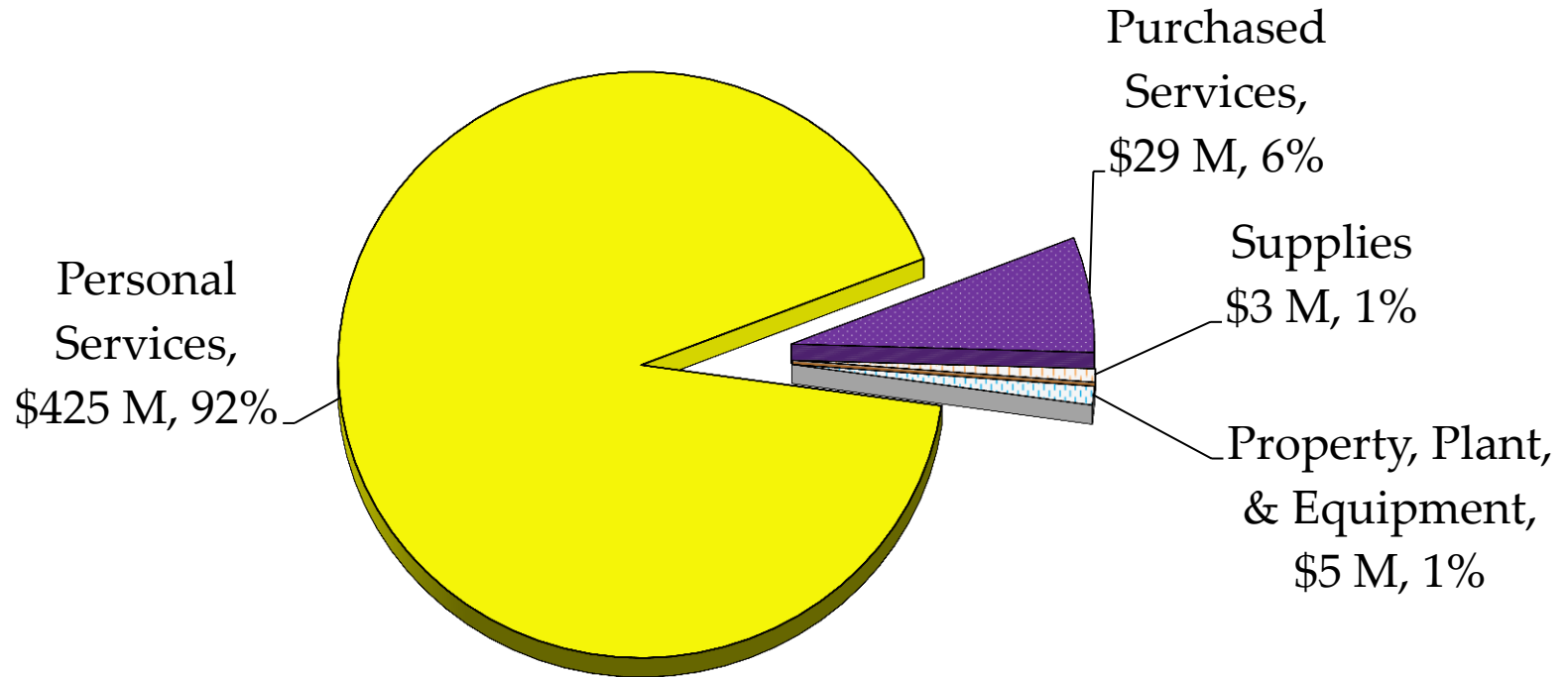
AOC Personnel FY 2013-14

Total: 5,831 FTE



Source: OSBM Certified Budget, 9/6/2013

AOC Budget By Account Budget FY 2013-14,



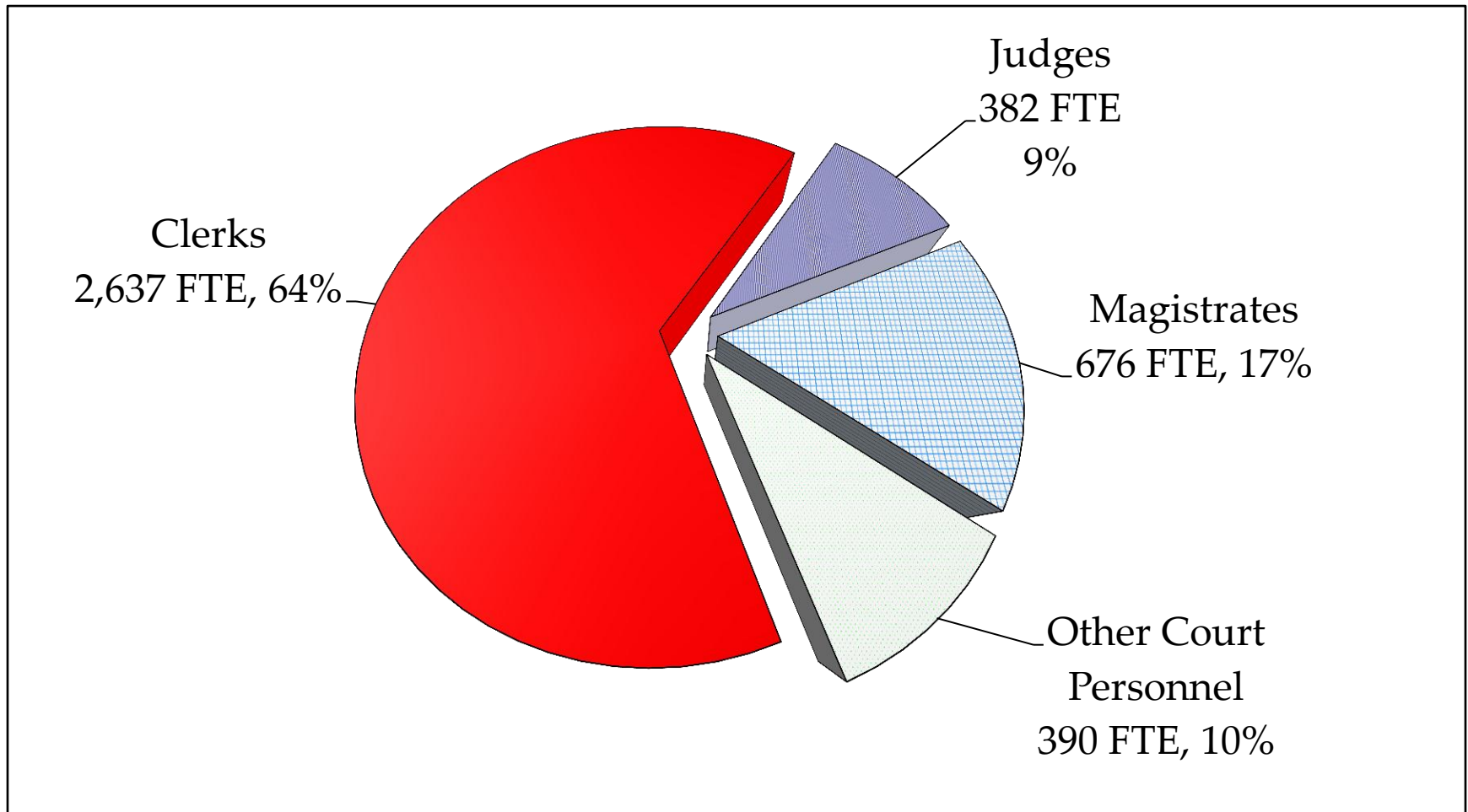
Source: OSBM Certified Budget, 9/6/2013



TRIAL COURTS

\$281 M, 4,024 FTE

Trial Court Personnel



Source: BEACON, October 30, 2013

Magistrates

Original Jurisdiction:

- Issue Warrants
- Set Bail
- Accept Guilty Pleas for Minor Misdemeanors and Infractions
- May accept waivers for worthless check cases
- Small Claims (**\$10,000 or less**)
- Landlord Eviction Cases
- Suits for recovery of personal property and mechanics' liens

676.1 FTE

- Minimum of 3 magistrates per county

Source: BEACON, October 30, 2013

District Court

Original Jurisdiction:

- Misdemeanors not assigned to Magistrates
- Probable Cause Hearings
- Accept Guilty/No Contest Pleas in Certain Felony Cases
- Civil Cases involving **\$25,000 or less**
- Juvenile Proceedings
- Domestic Relations
- Mental Health Hospital Commitments

464.9 FTE

District Court Judges: 270 FTE

- includes 42 Chief District Court Judges

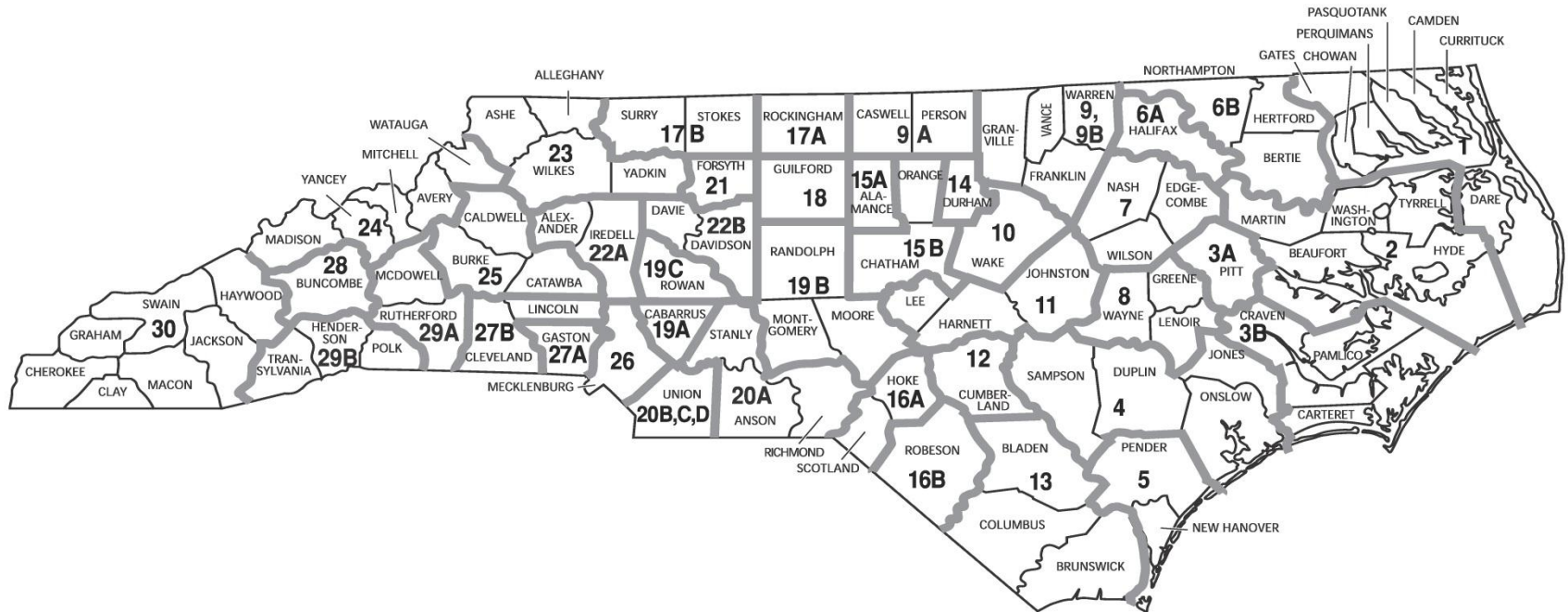
Staff: 194.9 FTE

- includes Judicial Assistants and Trial Court Coordinators

Source: BEACON, October 30, 2013

North Carolina District Court Districts

Effective January 15, 2009



Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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42 District Court Districts
270 District Court Judges

Superior Court

Original Jurisdiction:

- All felony criminal cases
- Civil cases **in excess of \$25,000**
- Misdemeanor and infraction appeals from District Court
- Most administrative agency decisions

296.5 FTE

Superior Court Judges: 112 FTE

- includes 50 Senior Resident Superior Court Judges
- also includes 15 Special Superior Court Judges (appointed, not elected)

Trial Court Administrators: 10 FTE

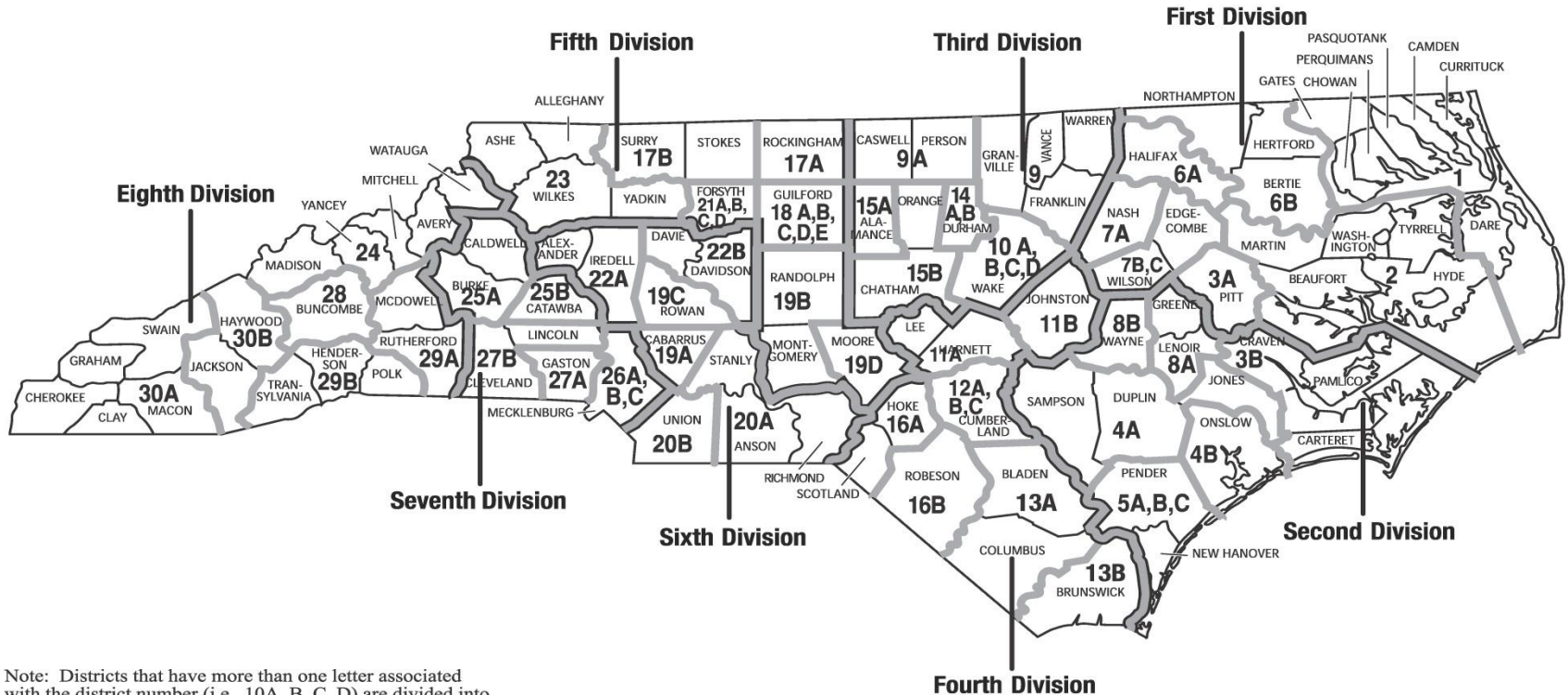
Other Staff: 174.5 FTE

- Includes Trial Court Coordinators, Judicial Assistants, and Court Reporters

Source: BEACON, October 30, 2013

North Carolina Superior Court

Effective January 15, 2009



Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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8 Superior Court Divisions
50 Superior Court Districts
112 Superior Court Judges

Clerks of Superior Court

Original Jurisdiction: Estates, Special Proceedings
(Clerk is Judge of Probate)

Responsible for:

- Administrative, clerical, and recordkeeping functions of District and Superior Court
- Collection and disbursement of court fees and fines.

2,636.6 FTE

Clerks of Superior Court: 100 FTE

Clerk Staff: 2,534.6 FTE

Conference of Clerks: 2 FTE

Source: BEACON, October 30, 2013



DISTRICT ATTORNEYS

\$96 M, 1,126 FTE

District Attorneys

- All criminal matters
- Prosecute all criminal cases filed in Superior and District Courts
- Advise local law enforcement
- Prepare the criminal trial docket (“calendarizing”)
- At least 4 full-time assistant district attorneys (ADAs) per district

1,135.5 FTE

District Attorneys: 45 FTE (includes 1 interim DA)

ADAs: 599 FTE

Victim-Witness Legal Assistants: 388.75 FTE

Investigators: 38.7 FTE

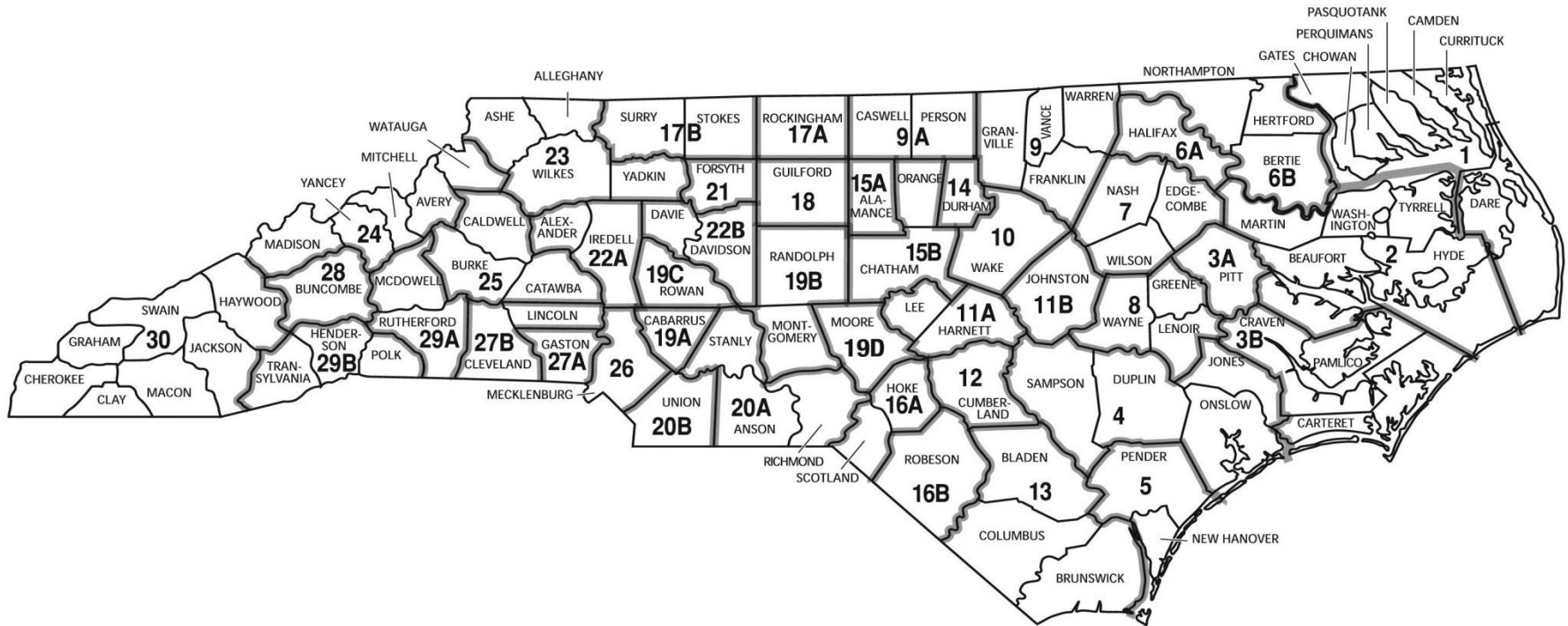
Other (Administrative and Judicial Assistants): 61 FTE

Conference of DAs: 3 FTE

Source: BEACON, October 30, 2013

North Carolina Prosecutorial Districts

Effective January 15, 2011



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44 Prosecutorial Districts



"And don't go whining to some higher court."

APPELLATE COURT

\$13.5 M, 129 FTE

Court of Appeals



- Civil and Juvenile Appeals from District Courts
- Appeals in non first-degree capital murder criminal cases from Superior Court
- State agency decisions

Court of Appeals

- Chief Judge John Martin
- 14 Judges of the Court of Appeals
- 30 Research Assistants
- 15 Executive Assistants
- 10 in Court of Appeals Clerk's Office
- 13 Staff Attorneys
- **Total: 83 FTE**

Source: BEACON, October 30, 2013



Supreme Court



- Constitutional questions
- Cases in which the Court of Appeals has had dissent
- Cases of significant public interest
- Cases involving legal principles of major significance
- Appeals in first-degree capital murder cases in which the defendant has been sentenced to death
- Appeals or final orders in Utilities Commission general rate cases
- Redistricting cases

Supreme Court

- Chief Justice Sarah Parker
- 6 Associate Justices
- 14 Research Assistants
- 7 Executive Assistants
- 4 in Supreme Court Clerk's Office
- 14 Other Staff (Reporters, Library, Other Staff)
- **Total: 46 FTE**



Source: BEACON, October 30, 2013



SPECIALTY COURTS

\$19 M, 231 FTE

Specialty Court Budget Personnel

Guardian ad Litem: 148.1 FTE

- 15,251 children served by GAL in FY 2012-13

Family Court: 43.75 FTE

- 13 Districts with Family Court

Custody & Visitation Mediators: 40.2 FTE

- 41 Districts with Custody Mediation Programs

Other Court Personnel: 5 FTE

- Judicial Assistants
- Secretaries

Source: BEACON, October 30, 2013

Business Court

- Complex and significant issues of corporate and commercial law assigned to a Special Superior Court Judge
- 3 Business Courts in NC:
 - Wake, Guilford, Mecklenburg
- 247 pending cases in 2012
 - 23 on appeal
 - 51 inactive or stayed
- 128 cases closed in 2012
- 119 new cases assigned



"We're still the same great company we've always been, only we've ceased to exist."

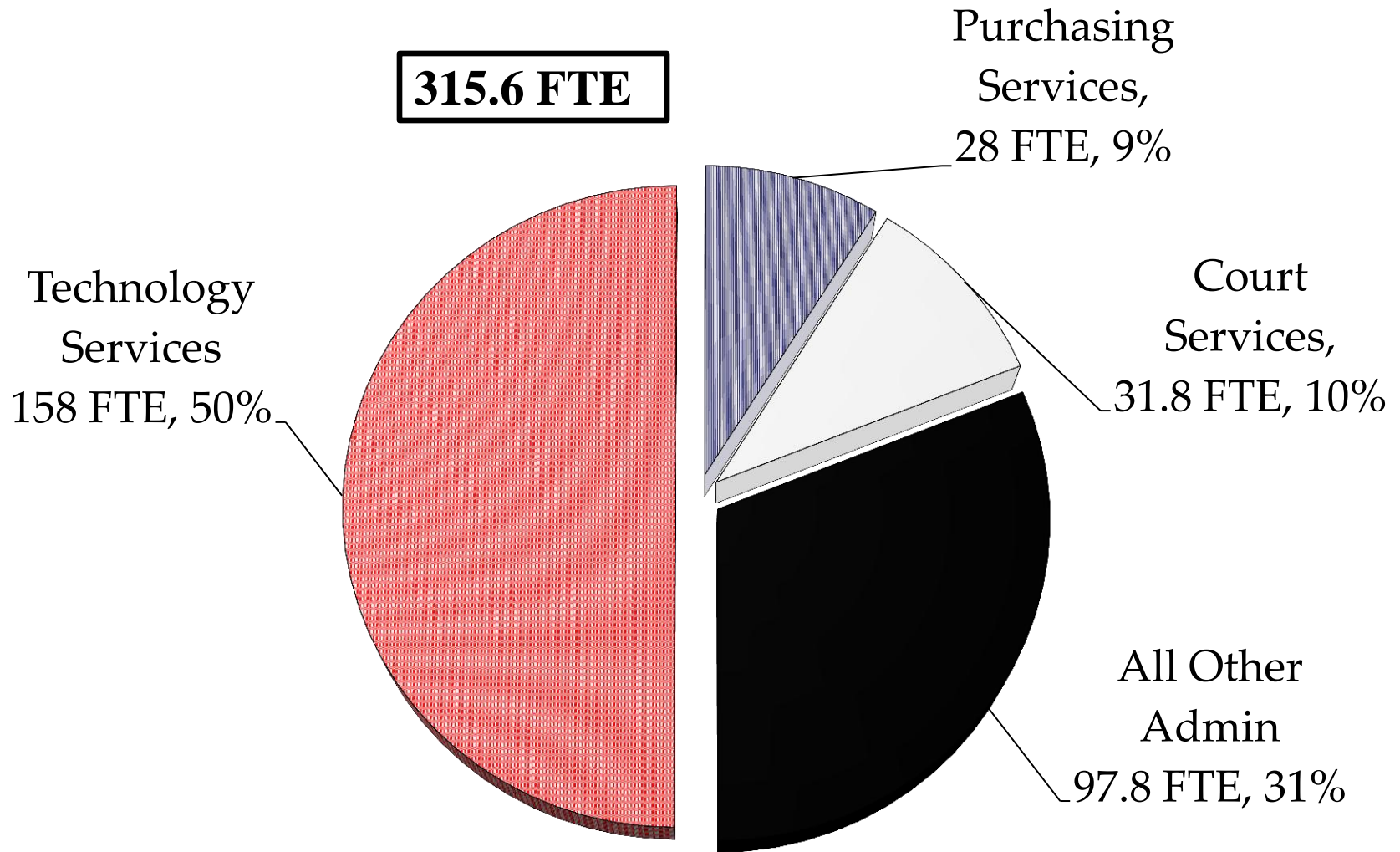


AOC ADMINISTRATION

\$49 M, 311 FTE



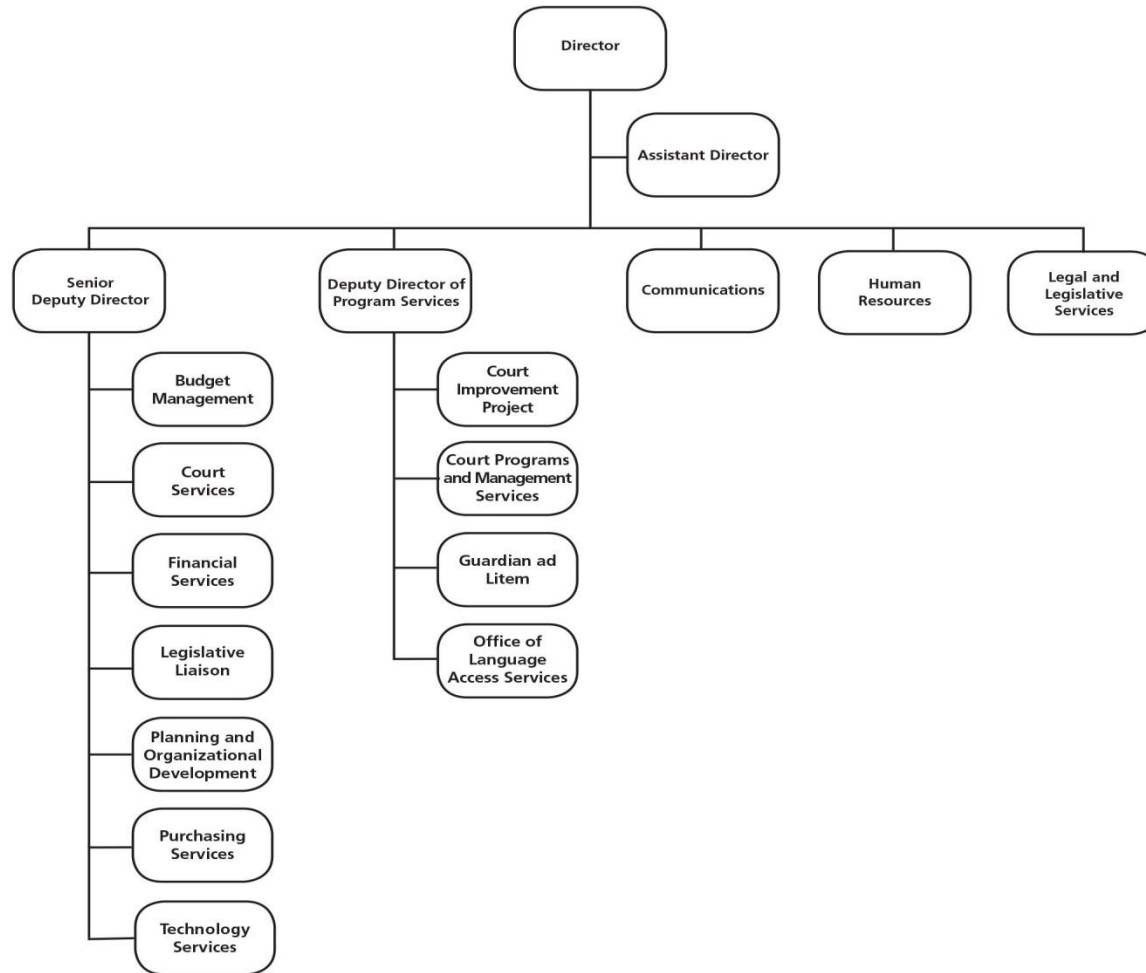
AOC Administration Personnel



Source: BEACON, October 30, 2013



Organization Chart



Independent Commissions: \$2.5 M

Dispute Resolution Commission: 2.5 FTE

- certifies and regulates private mediators who serve NC courts

Innocence Inquiry Commission: 6 FTE

- reviews, investigates, and hears post-conviction innocence claims if new evidence of innocence has come to light

Judicial Standards Commission: 4 FTE

- considers complaints against state district, superior, and appellate court judges and justices and, where appropriate, makes recommendations for discipline

Sentencing and Policy Advisory Commission: 10 FTE

- makes recommendations to the NCGA for modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals

Source: BEACON, January 30, 2013



RECENT BUDGET ACTIONS

2011 Session

1. VRIF 194.5 FTE:	(\$12.9 million)
2. Freeze Clerk & Magistrate Pay Plans:	(\$6.4 million)
3. Reduce Continuation Budget Increase:	(\$5.3 million)
4. Reduce DA Support Staff (55 FTE):	(\$2.6 million)
5. Reduce AOC Tech Services:	(\$4.9 million)
6. Eliminate Magistrates (61 FTE):	(\$1.7 million)
7. Eliminate Drug Treatment Court (32 FTE):	(\$2.0 million)
8. Eliminate Dispute Resolution:	(\$1.1 million)
9. Other (positions, pass-through):	(\$0.5 million)
10. Continuation Review of Family Court:	(\$2.9 million)

TOTAL:	(\$40.4 million)
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2012 Session

- Management Flexibility Reserve: (\$5.0 million)
 - Restore Family Courts: \$2.9 million
 - Mortgage Settlement Funds: (\$200,000)
 - Reduce Conference of District Attorneys
due to Mortgage Settlement Agreement
-

TOTAL: (\$2.3 million)

2013 Session

- Administrative Budget Reduction: (\$4.0 million)
 - Additional Magistrate Funding: \$1.0 million
 - Funds for Interpreters, Witnesses,
and Juries: \$1.0 million
 - Local Hospital Toxicology: \$0.5 million NR
-

TOTAL: (\$2.0 million)



QUESTIONS?

